

CALIFORNIA GAMBLING CONTROL COMMISSION

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*Staff Report*

Date: November 17, 2005

To: Commissioners

From: Heather Hoganson, Staff Counsel
Cy Rickards, Chief CounselSubject: Final adoption of Regulations concerning Definitions and Change of Address Form (Title 4, California Code of Regulations, sections 12002 and 12004)

On the Commission agenda is an action item for adoption of regulations 12002 and 12004. Staff recommends adoption of this regulation package.

These non-controversial regulations were discussed with industry this past Spring, and raised at the July 7, 2005 Commission meeting. There was a 45-day notice and opportunity to comment period from July 22, 2005, through September 6, 2005. No request for a formal public hearing was made, and no formal public hearing was held.

Proposed regulation 12002 is a list of general definitions, many of which had been defined previously in other regulation packages. This regulation is necessary because, by grouping general definitions in Chapter 1 (which is a General Provisions Chapter) of the Commission regulations, duplication in other chapters may be avoided. One new definition, "conviction," was added, and was the subject of comments in the 45-day comment period. The definition was amended to address the concerns presented, and an additional 15-day comment period, from October 27 to November 10, 2005, was held for any further comment. No additional comments were received in the 15-day comment period.

Proposed regulation 12004 requires that a registrant or licensee notify the Commission of a change of address, and provides a form on which to do so. The Division has a similar regulation. This regulation is necessary because Commission staff have not always been notified by licensees or registrants of such changes, which causes communication problems. No comments were received regarding the proposed change of address regulation.

Once the Commission has adopted the regulation package, staff will forward the rulemaking text and accompanying required file documents to the Office of Administrative Law. With the 30-day review period allotted, staff anticipates that the adopted text would become law in January 2006.

Title 4. Business Regulations
Division 18. California Gambling Control Commission
Chapter 1. General Provisions

12002. General Definitions

Unless otherwise specified, the definitions in Business and Professions Code section 19805, supplemented by the definitions found in Chapter 10 of Title 9 of Part 1 of the Penal Code (commencing with section 330), shall govern the construction of this division. As used in this division:

- (a) **"Bureau"** means the Bureau of Criminal Identification and Information in the California Department of Justice.
- (b) **"California Games"** means controlled games that feature a rotating player-dealer position, as described in Penal Code section 330.11.
- (c) **"Commission"** means the California Gambling Control Commission.
- (d) **"Conviction"** means a plea or verdict of guilty or a plea of *nolo contendere*, irrespective of a subsequent order of expungement under the provisions of Penal Code section 1203.4, 1203.4a, or 1203.45, or a certificate of rehabilitation under the provisions of Penal Code section 4852.13. Any plea entered pursuant to Penal Code section 1000.1 does not constitute a conviction for purposes of Business and Professions Code section 19859, subdivisions (c) or (d) unless a judgment of guilty is entered pursuant to Penal Code section 1000.3.
- (e) **"Deadly weapon"** means any weapon, the possession or concealed carrying of which is prohibited by Penal Code section 12020.
- (f) **"Division"** means the Division of Gambling Control in the California Department of Justice. For the filing of any reports or forms, Division refers to the Sacramento office of the Division of Gambling Control.
- (g) **"Executive Director"** means the executive officer of the Commission, as provided in Business and Professions Code section 19816.
- (h) **"Gambling Control Act" or "Act"** means Chapter 5 (commencing with Section 19800) of Division 8 of the Business and Professions Code.
- (i) **"Registrant"** means a person having a valid registration issued by the Commission.

Authority: Sections 19811, 19823, 19824, 19840, 19841, 19853(a)(3), and 19854, Business and Professions Code.

Reference: Sections 7.5, 19800, 19805, 19811, 19816, and 19951, Business and Professions Code.

1 **12004. Change of Address**

2 A registrant or licensee shall report to the Commission any change of address
3 within ten days of such change on a form entitled "Notice of Address Change"
4 CGCC-032 (New 06-05), which is attached in Appendix A to this Chapter.
5

6 Authority: Section 19811, 19823, 19824, 19853(a)(3), 19864, and 19984, Business and Professions
7 Code.

8 Reference: Sections 19850 and 19852, Business and Professions Code.



NOTICE OF ADDRESS CHANGE

SECTION 1: INFORMATION

Full Legal Name:

Gambling Establishment Affiliation, if any:

Type of License / Registration (or Designated Agent):

SECTION 2: CHANGE OF BUSINESS ADDRESS

Previous Business Address:

Street

City

State

Zip Code

New Business Address:

Street

City

State

Zip Code

SECTION 3: CHANGE OF MAILING ADDRESS, IF DIFFERENT FROM BUSINESS ADDRESS

Previous Mailing Address:

Street

City

State

Zip Code

New Mailing Address:

Street

City

State

Zip Code

SECTION 4: CHANGE OF PHONE NUMBER OR E-MAIL ADDRESS

Previous Phone Number:

Previous E-mail Address (Optional):

New Phone Number:

New E-mail Address (Optional):

SECTION 5: DECLARATION

I specifically request that all notices and written communications be sent to the new address listed above.

I declare under penalty of perjury under the laws of the State of California that the foregoing information, and all information submitted with this form is true, correct, and complete.

Signature: _____

Printed Name and Title:

Date:

NOTICE OF ADDRESS CHANGE INSTRUCTIONS

Type or print (in ink) all information requested on this form.

Retain a photocopy of the completed form for your permanent records.

A separate form is required for each registered/licensed person/entity.

If the form is returned at any point in the processing, please follow the enclosed directions and resubmit it in a timely manner.

You are responsible for providing the appropriate information. If a question is not applicable, indicate with "N/A."

You must initial and date any corrections, changes, or other alterations.

Any individual or entity who holds a State Gambling License (including Key Employee License), Registration, or a CGCC-issued Work Permit is required to submit a Notice of Address Change Form within TEN days of such change.

SECTION 1: INFORMATION

Provide your full legal name and list all other names if applicable. State your Gambling Establishment Affiliation (i.e. Name of Gambling Establishment), if any, as well as the type of license/registration that you hold (i.e. Owner, Key Employee, Work Permit). If you are the Designated Agent, please state.

SECTION 2: CHANGE OF BUSINESS ADDRESS

and

SECTION 3: CHANGE OF ADDRESS

You must provide your complete previous address and new address.
Even if only part of the address is changing, you must fill in all the blanks.

SECTION 3: CHANGE OF PHONE NUMBER OR E-MAIL ADDRESS

You must provide your complete previous phone number and new phone number. Providing an e-mail address is optional.

SECTION 4: DECLARATION

Sign and date the form under penalty of perjury. A form must be signed and dated to be considered complete.
